
	<b>HARTFORD POLICE DEPARTMENT</b> <b>POLICY AND PROCEDURE</b> <b>GENERAL ORDER</b>	<b>EFFECTIVE DATE:</b> 05-13-10	<b>ORDER NUMBER:</b> 1-24
		<b>ISSUANCE DATE:</b> 05-13-10	<b>PAGE:</b> 1 of 7
<b>TASERS®/ELECTRONIC CONTROL DEVICES</b>	<b>REFERENCE:</b> CALEA Standards 1.3.1, 1.3.2, 1.3.5, 1.3.6, 1.3.7, 1.3.10, 26.1.1 & GO Use of Force	<b>RESCINDS:</b> N/A	
	<b>CHIEF'S SIGNATURE</b>  <b>Daryl K. Roberts, Chief of Police</b>		

### **I. PURPOSE:**

The purpose of this order is to provide sworn personnel with guidelines on the use of the Tasers® / Electronic Control Devices.

### **II. POLICY:**

It is the policy of the Hartford Police Department to use only that amount of force that reasonably appears necessary to effect an arrest, to control a situation, or to defend themselves or a third person from harm. The Hartford Police Department recognizes that combative, noncompliant, armed and/or violent subjects cause handling and control problems that require special training and equipment. Thus the Hartford Police Department has adapted the use of non-lethal force philosophy to assist with the de-escalation of these potentially violent confrontations. Consistent with this philosophy the Hartford Police Department is authorizing the use of department owned, maintained and issued Taser®/ Electronic Control Devices to trained sworn personnel.

### **III. DEFINITIONS:**

**Taser® /Electronic Control Device (ECD):** A device that uses pulses of electricity to incapacitate suspects. The Taser®/ECD weapons are designed to deliver up to a 50,000 volt charge with low power and can incapacitate at a distance. Two metal probes connected by thin insulated wires are propelled by nitrogen gas into the targeted suspect. An electrical signal is transmitted through the wires to where the probes make contact with the body or clothing, in order to incapacitate a person's neuromuscular control and a person's ability to perform coordinated action for the duration of the impulse. Once the connection is made, electrical pulses are conducted through the wires for a number of seconds. The electric pulse delivered by a Taser®/ECD incapacitates suspects by causing the muscles to contract, resulting in the loss of body control. The device may also be discharged as a contact device.

**Data Port:** A mechanism that stores the downloadable time and date of any discharge of the Taser®/ECD.



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**AFID Cartridge Tracking:** Taser International's Anti-Felon Identification (AFID) system enforces accountability for each use of the Taser®/ECD device via the dispersal of tiny unique coded tags every time the device is fired. These small, confetti-like, micro-dot identification tags expelled from the cartridge contain the serial number of the cartridge fired allowing the Department to identify the unit that deployed the AFID.

**IV. PROCEDURES:**

**A. Training and Certification**

1. All members of the Department who carry and/or use a Taser®/ECD, must first successfully complete a Department approved and mandated Taser®/ECD familiarization program, to include written and practical tests.
2. All Department Taser®/ECD certification programs will be presented by a Taser International, Inc. certified (or equivalent) ECD instructor.
3. The Department shall maintain Taser®/ECD training and certification records.

**NOTE:** The Taser®/ECD is not intended to replace the use of firearms when deadly physical force is necessary, but rather to provide a less lethal alternative within the Hartford Police Department's guidelines regarding the use of less-lethal force.

**B. Administration:**

1. The Taser®/ECD, cartridges, cartridge holder and holster pack will be issued to designated officers who have been trained by a qualified instructor and demonstrated proficiency in the use of the device. Unless otherwise authorized by the Academy Commander, the Taser®/ECD shall be carried as standard issued equipment on the gun belt on the support side in the cross draw position, and holstered with the safety engaged. The Headquarters Lieutenant or his designee will record and maintain a record of the serial number of the Taser®/ECD and cartridges that are issued to each officer.
2. Prior to each shift, the officer shall examine the Taser®/ECD and ensure that the Digital Power Magazine (DPM) displays an energy cell life greater than 20%. DPM's displaying less than 20% shall be replaced.
3. Replacement batteries and cartridges will be available from the Headquarters Lieutenant or his designee.
4. Due to the potential for cartridges to activate by static electricity, officers should not store cartridges in their pocket. Any time the cartridges are not attached to the unit, or holder built into the extended DPM, they shall have their protective plastic cover installed. Officers receiving cartridges shall, when removing protective covers, retain and return them with cartridges if issued items for their shift.
5. Prongs that have been removed from suspects shall be treated in accordance with agency policy on handling and storage of bio-hazardous materials.



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Prongs will not be submitted into evidence unless an officer or supervisor determines that the prongs will have future evidentiary value.

6. Testing and maintenance of the Taser®/ECD shall be consistent with the manufacturer's specifications. Cartridges should be stored in a cool, dry environment and should normally be replaced after two years. The Taser®/ECD should not be left in direct sunlight due to the possible adverse effects on plastic parts.
7. Officers will secure and store the device both on and off-duty in such a way as to ensure that no unauthorized person will have access to or gain control over the device.
8. Any discharge of the device with the exception of a discharge during training, must be reported to a supervisor immediately.

C. Permitted Use: The use of the Taser®/ECD is permitted in accordance with training in the following instances:

1. When force is legally justified against subjects who are actively resisting arrest, non-compliant, or are exhibiting active aggression through words or actions towards an officer or a third party actually present.

**NOTE:** The use of the Taser®/ECD on non-compliant subjects is only authorized when attempts to subdue the subject by other conventional tactics have been, or will likely be, ineffective in the situation at hand; or there is a reasonable expectation that it will be unsafe for officers to approach within contact range of the subject.

2. To incapacitate a subject who poses a threat of physical injury to himself/herself.
3. Against aggressive animals that pose a threat of physical injury to officers or another person.
4. To display the device's "test arc" or to "paint" the subject with the device's laser in attempting to gain compliance of the subject where resistance, assault, and/or violence is reasonably anticipated.
5. During department authorized training programs and/or demonstrations.

**NOTE:** It is understood that deployments against humans may be very dynamic in nature and the probes may impact unintended areas.

D. Prohibited Use: The Taser®/ECD shall not be used in the following situations:

1. Against a female who the officer knows or reasonably believes to be pregnant unless deadly force is the only other option.
2. Against a person who the officer knows or reasonably believes to be under the age of ten (10) or over the age of seventy (70), due to the potential of falling when incapacitated, unless the encounter rises to a deadly force situation



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3. Against a person who is at an elevated location where a fall may cause substantial injury or death.
  4. Against an operator of a motor vehicle if that discharge would result in uncontrolled movement of a vehicle.
  5. Against a subject who is in close proximity to a flammable gas or liquid.
  6. In drive-stun, or touch-stun, mode as a prod or escort device.
  7. To rouse unconscious, impaired, or intoxicated individuals.
  8. For horse play or clowning around or in an unprofessional manner.
  9. To experiment on a person or to allow a person to experience the device, even if the person requests it, when the device's use would not otherwise be allowed by department policy. This does not apply to voluntary device training exposures or demonstrations as authorized by the Department.
  10. For illegal purposes (e.g. illegal coercion, torture, etc.).
- E. Deployment of the Taser® ECD. In deploying the device, officers will make efforts to comply with the following when reasonable:
1. When feasible, alert other law enforcement officers present that you are about to deploy the device by saying "Taser, Taser". This will prepare them and will help prevent sympathetic weapon discharges.
  2. Use the laser and/or fixed sights to aim the device per training and manufacturer's instructions.
  3. Aim at the largest muscle groups to be most effective. When practical, the preferred target is the back area of a subject. In frontal deployments, the aim point shall be the lower torso area. Intentional aiming to the head, throat, genitals, and breasts is not permitted.
  4. Use the device by either discharging the probes or "drive stun" (contact mode) when and to the extent reasonably necessary.
  5. Taser ®/ECD deployments shall be administered by pressing and immediately releasing the trigger. This will administer a five second cycle, during which time, if more than one officer is present, attempts should be made to secure subject in handcuffs while under the incapacitation of the Taser®/ECD, keeping from contact with, or between probes and wires.
  6. Pressing and holding of the trigger to administer prolonged duration cycles is strictly prohibited.
  7. Multiple officers each deploying their Taser®/ECD on a single subject is to be avoided, as are repeated applications. Officers should attempt to gain compliance and only administer additional cycles if the subject continues to actively resist or present imminent threat. If after several applications of a Taser ®/ECD cycle, a subject still is not able to be brought under control, then other force options should be considered.
  8. In an attempt to minimize the number of Taser ®/ECD discharges needed for subject compliance, officers should, while deploying the device, reasonably



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direct (order) the suspect as the incident mandates, such verbal commands may include, "stop resisting, lie flat, put hands behind your back," etc.

9. As soon as the subject is compliant and the situation is under control, a supervisor shall be notified of the use of force.

**F. Post Taser®/ECD Deployment:**

1. Subjects should be closely monitored after being subjected to a Taser ®/ ECD deployment for signs of medical distress. This is particularly applicable if the subject has been exposed to multiple applications, is an emotionally disturbed person, or shows signs of severe intoxication from narcotics and/or alcohol. Some warning signs of medical distress are as follows and if one or more of the behaviors manifest, the suspect may require immediate medical assistance due to pre-existing conditions, possible overdose, cocaine psychosis, excited delirium, etc
  - a. Bizarre or violent behavior
  - b. Signs of overheating/profuse sweating
  - c. Disrobing
  - d. Violence toward/attacking glass, lights, and reflective surfaces
  - e. Superhuman strength and endurance
  - f. Impervious to pain - self-mutilation
  - g. Disturbances in breathing patterns or loss of consciousness

**G. Probe Removal and Medical Treatment:**

1. Once the subject is contained and handcuffed, the probes can be removed by the officer. The cartridge shall be disengaged from the Taser®/ECD unit. The probes shall be removed from the subject, inspected to ensure that the prong is intact, and replaced in the cartridge housing. The unit shall be properly disposed of at Headquarters. The area from which the prongs were removed shall be cleansed with an antiseptic or alcohol wipe.
2. If the Taser®/ECD prong barb tips break off and remain embedded in the skin, the subject will be transported to the hospital for medical treatment. Only medical staff shall remove probes that are embedded in the face, neck, breasts, groin or other sensitive areas.
3. Subjects who request medical treatment shall be taken to the hospital. Refusal of treatment shall be documented.

**NOTE:** Use Universal Precautions to avoid the transfer of bodily fluids when dealing with a subject who has been struck by a Taser®/ ECD probe.

- H. Evidence Collection:** Supervisors shall evaluate each incident on its own merits to determine if the probes or other evidence of Taser®/ECD discharge should be collected and tagged as evidence. If the supervisor determines that items should be collected the following items will be collected and tagged as evidence:



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1. If possible photographs will be taken of the subject and injury site
2. Taser®/ECD Probes
3. Cartridges
4. Wireleads
5. AFIDS

**NOTE:** In some instances, photographs may not be taken, such as in some cases of juveniles or when the probes impacted genitals, female breasts, etc. It is important to preserve evidence of the Taser®/ECD use; however, it is also important to not violate any medical, HIPPA, or privacy statutes or other legal restrictions.

**I. Incident Reporting:**

1. A supervisor shall be notified as soon as it is practical to do so after deploying a Taser®/ECD.
2. Any discharge of a Taser®/ECD requires a case incident report to be completed. The CIR shall include the facts and circumstances which the officer found to dictate the use of force and shall include the following:
  - a. Commands given to the subject;
  - b. Manner subject refused to comply;
  - c. Witnesses to the discharge;
  - d. Number of discharges and length of each;
  - e. Location of probes on subject's body;
  - f. Extent of injuries;
  - g. Description of first aid provided;
  - h. Supervisor notified.
3. In addition, the officer who discharges a Taser®/ECD device shall complete and submit a "Use of Force Report."

**J. Supervisor's shall:**

1. Ensure trained personnel who are issued a Taser®/ ECD carry the device in accordance with this order while working their assigned shift.
2. Where appropriate and reasonable, respond to any scene in which a Taser®/ ECD has been deployed.
3. Review the circumstances surrounding the use of the device to determine if the use of or deployment of the device was in compliance with policy and procedure.
4. Review and follow-up on the officer's "Use of Force Report."

**K. Data Download:**

1. After an incident involving a Taser®/ ECD occurs, the officer shall, as soon as possible, present the device to the Headquarters Lieutenant for data download. A copy of the printout of the downloaded data shall be attached to the "Use of



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Force Report.” If neither the data download nor the printout are available, a notation shall be made on the “Use of Force Report” and the supervisor reviewing the “Use of Force Report”, shall forward the printout as soon as it is available.

2. Periodically, Taser®/ECD certified instructors are responsible for downloading the data stored on the X26 Taser chip of their personnel.
3. Each X26 Taser®/ECD has an internal tracking chip. This chip will store the time and date of the last 2000 times the trigger was engaged on the X26 Taser®/ECD.
4. The information stored on the data chip can be retrieved by supervisors by connecting to the data port on the rear of the weapon and downloading the information.

**NOTE:** It is the policy of the Hartford Police Department that officers who use excessive force will be subject to discipline, possible criminal prosecution, and/ or civil liability.

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		ALL PERSONNEL	<b>5.35</b>
<b>Order Title:</b>  <b>BODY-WORN CAMERAS</b>		Original Issue Date	Reissue/Effective Date
		1/28/19	2/4/19
		Accreditation Standard:	Section
		POSTC: 1.7.2, 1.7.17	5
<b>Rescinds:</b>  <b>N/A</b>		Section Title	
		PATROL FUNCTIONS	
		 <b>David Rosado, Chief of Police</b>	

*This General Order is for departmental use only and does not apply in any criminal or civil proceeding. This General Order should not be construed as creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this General Order will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.*

## I. PURPOSE

A. The purpose of this policy is to establish Hartford Police Department (“Department”) guidelines, standards, and limitations for the use and management of Department-issued body-worn camera (BWC) systems, including, but not limited to:

1. Creating video and audio records to contribute to the accurate documentation of critical incidents, police-public contacts, crime and accident scenes, and arrests.
2. Preserving visual and audio information for use in current and future investigations in accordance with applicable guidelines referenced herein.
3. Capturing crimes in-progress, whether committed against the police officer or the community, and to preserve evidence for presentation in court.
4. Documenting police response to an incident.
5. Aiding in the documentation of victim, witness or suspect statements pursuant to an on-scene response and/or documentation of the advisement of rights, and consents to conduct a lawful search, when applicable.

B. The purpose of equipping police officers with issued BWCs is to assist in the following:

1. Strengthening police accountability by documenting incidents and encounters between officers and the public.
2. Resolving officer-involved incidents and complaints by providing an objectively independent record of events.





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3. Improving agency transparency by allowing the public to see video evidence of police activities and encounters in accordance with applicable laws regarding public disclosure.
  4. Identifying and strengthening officer performance by using footage for officer training and monitoring when appropriate and consistent with the law.
  5. Improving evidence documentation for investigation, prosecution, and administrative reviews of employee performance and/or civil actions.
  6. Counteracting false complaints made against an officer in the course and scope of his or her official police duties and to assist in the consideration of appropriate action in response to such an event.
- C. It should be noted that the video footage captured from the BWC represents the “perspective” of the video camera and is not the same as the officer’s perception. All other available evidence, such as witness statements, officer interviews, forensic analyses, and documentary evidence should be evaluated to determine the appropriateness of an officer’s actions.

## **II. POLICY**

- A. All Department-issued BWC equipment and media associated with the BWCs, data, images, video/audio and metadata captured, recorded, or otherwise produced by the BWC shall not be viewed, copied, released, disclosed, or disseminated in any form or manner outside the parameters of this policy pursuant to the department's FOI policy and practice.
- B. This policy does not apply to or limit the use of in-car audio/video recording systems.
- C. This policy does not govern the use of surreptitious/covert recordings devices used in undercover operations.
- D. While not exempting a police officer from the requirements of this General Order, there will be a ninety (90) day grace period from the completion of prescribed BWC training wherein no disciplinary action will be taken against a police officer for failure to activate the system except for repeated violations during the grace period. Repeated violations is defined as more than 5 violations within 30 calendar days.
- E. Disciplinary action is not the focus or intent of the BWC program; however, the system data may be used as an aid in any criminal and/or administrative investigations. BWC data shall not be reviewed solely to generate any complaints against police personnel but may be used as a tool in the complaint process as one part of the factfinding procedure. If BWC data is relevant to an investigation, the data shall be provided prior to any interview of the accused.
- F. All Department issued BWC equipment and media associated with the BWCs, data, images, video/audio and metadata captured, recorded, or otherwise produced by the BWC is the property of the Department and shall not be viewed, copied, released, disclosed, or

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disseminated in any form or manner outside the parameters of this policy without the express written consent of the Chief of Police or his/her designee, except as otherwise required by law.

1. Officers with an issued BWC shall not edit, erase, alter, copy, disclose, reuse, modify, destroy, abuse, or tamper with BWC audio-digital multimedia video files or equipment except as otherwise approved by this policy.

### III. DEFINITIONS

Body-Worn Camera (BWC): An "on-the-body" video and audio recording system worn by an officer to capture digital multimedia evidence as an additional means of documenting specific incidents in the field during the course and scope of his/her police duties.

Digital Multimedia Video Files (DMVF): All digital recordings, including but not limited to, audio, video, photographs, and their associated metadata. Metadata includes any digital identifiers that are captured as part of the actual recording, such as date/time, GPS coordinates, labeling, etc.

Evidence Transfer Management (ETM): The transfer of media from the BWC to a secured server or other reliable, secured storage resource. The method of evidence transfer management for BWCs shall be approved by the Chief of Police.

Interacting with the Public in Law Enforcement (LE) Capacity: Occurs when an officer is in personal contact with one or more members of the public, the purpose of which is to conduct a self-initiated investigation into, or to respond to a third-party complaint involving, the possible commission of any offense, violation or infraction.

Interaction with the public has concluded: Occurs when an officer terminates his/her law enforcement contact with a member of the public.

Metadata: Descriptors that identify the time, date, location, and badge number linked to the creation of the record, and officer interaction/offense categorization of BWC recordings.

Pre-Event Time: Captured 60-second interval (video only) prior to the record function on the BWC being activated.


Recorded Event: An incident captured on an Officers BWC.

System Administrator: A sworn officer designated and authorized by the Chief of Police to have full access to user rights, assigns and tracks master inventory of equipment, and controls passwords and end-user security access rights, as well as other permissions as granted by the Chief of Police.

### IV. PROCEDURES

#### A. Beginning of the Shift

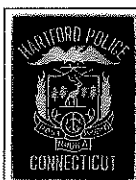
1. Issued BWCs shall be used by the police officer while in the performance of his/her scheduled duties.
2. Issued BWCs shall be operated in accordance with the manufacturer's recommended guidelines, Department training and Department policies and procedures

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3. Prior to the beginning of each shift, the police officer issued or assigned a body-worn camera shall test and perform an inspection to ensure that the BWC has a properly charged battery and is functioning correctly. Only operational systems shall be used.
  - a. If problems are encountered with any component of the system, the BWC shall not be used and the police officer shall arrange for repair or replacement through Department established procedures. The police officer should be immediately provided a replacement BWC, when practicable.
  - b. Malfunctions, damage, loss or theft of any issued BWC shall be immediately reported by the police officer to the on-duty shift supervisor or other responsible person as designated by the Chief of Police. The police officer should be immediately provided a replacement BWC, if practicable.

**B. Use and Activation of an Issued Body-Worn Camera**

1. Police officers issued or assigned a BWC shall wear such camera on his/her outmost garment and shall position it above the midline of his/her torso when in use.
2. Police officers shall not cover or obstruct the video lens or microphone of a BWC for the sole purpose of intentionally defeating the recording capabilities of a BWC when Department policies and procedures would otherwise require the BWC to record.
3. Police officers issued or assigned a BWC shall activate the camera at the inception of the interaction with the public in a law enforcement capacity. Officers are not required to notify the public when the camera is in use. However, if asked, the officer will inform the person that they are being recorded. This should be documented in the officer's report, if applicable.
  - a. For the purposes of this policy, "interacting with the public in a law enforcement capacity," means that a police officer is in personal contact with one or more members of the public, the purpose of which is to conduct a self-initiated investigation into, or to respond to a third-party complaint involving, the possible commission of any offense, violation or infraction.
  - b. The camera should generally be used during incidents that create reasonable suspicion in the mind of a reasonable police officer that a crime has been committed, is being committed, or will be committed in the future.
  - c. In addition, police officers shall record the following:
    - i. Vehicular pursuits;
    - ii. Motorist assists;
    - iii. The taking of statements from suspects, witnesses and victims, if not otherwise prohibited;
    - iv. The conducting of interviews with suspects, witnesses and victims, if



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- not otherwise prohibited;
  - v. Transportation and processing of prisoners;
  - vi. Any incident or event not otherwise prohibited by this policy, which may be dangerous, unpredictable, or potentially useful for Department training purposes;
  - vii. Situations where a police officer, by reason of training and experience, determines that the incident should be documented on video;
  - viii. High-risk situations;
  - ix. Advising an individual of Miranda rights;
  - x. Vehicle searches;
  - xi. K-9 deployments;
  - xii. Observed items of evidentiary value; and
  - xiii. Service of a search warrant.
4. Officers assigned to the Booking facility shall wear a BWC during their tour of duty. The BWC should be activated during:
- a. Prisoner intake;
  - b. Prisoner searches;
  - c. Property collection and inventory;
  - d. Cell extraction; and
  - e. Interviews and fingerprinting.
5. Officers who do not activate their BWCs in situations where they were required to as outlined above, may be subject to discipline. If a citizen complaint is made and the officer does not activate his/her BWC as required, it will be a factor examined when determining final resolution of the investigation.
6. If an officer fails to activate the BWC, fails to record the entire contact, or interrupts the recording, the officer shall document on a CIR why a recording was not made, was interrupted, or was terminated. The CIR shall be notarized by a supervisor.
7. If circumstances prevent the officer from activating a BWC recording at the inception of an interaction (such as being unsafe or impracticable) the officer shall begin the recording as soon as safe and practicable.

**NOTE:** At no time shall police officers disregard officer safety or the safety of the public for the purpose of activating or utilizing the BWC.


8. All officers shall be required to wear a BWC during the Walmart Private Duty assignment. Officers shall also be required to wear a BWC on other special duty assignments as instructed by a supervisor or the Private Duty office. Those officers not issued a BWC shall get a spare BWC from Teleserve.

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9. The officer may turn on the BWC in any other circumstances not expressly prohibited by this policy.
10. Whenever an officer records an incident or any portion of an incident, which that officer reasonably believes will likely lead to a citizen complaint, the officer shall immediately bring it to the attention of his/her supervisor.
11. Once the BWC is activated for the purpose of documenting an interaction with the public in a law enforcement capacity, it should remain activated until the interaction with the public has concluded to ensure the integrity of the recording, except as otherwise provided for by law or by this policy.
  - a. If it becomes necessary to discuss issues surrounding an investigation with a supervisor or another officer in private, the officer may mute their BWC, thereby preventing the audio from their private conversation from being recorded. The officer shall verbally record on the BWC the reason for muting the audio prior to muting.
  - b. Additional police officers arriving on a scene that have been issued or assigned a BWC shall also record the interaction with the public, and shall also continue to record until the completion of the incident.
  - c. For purposes of this policy, conclusion of an interaction with the public occurs when a police officer terminates his/her law enforcement contact with a member of the public.
12. Officers wearing a BWC may use the system to capture statements from victims, witnesses, and suspects in place of utilizing a digital recorder. The use of a BWC for such purposes shall be documented in the same manner as above.

**C. When an Issued Body-Worn Camera is not to be Activated or Should be Deactivated**

1. Except as otherwise required by this policy, no police officer shall use body-worn recording equipment to intentionally record:
  - a. In headquarters or a substation, except when interacting with the public in a law enforcement capacity;
  - b. A communication with other law enforcement agency personnel, including personal conversations between employees, except as the officer performs his/her duties;
  - c. An encounter with an undercover officer or informant;
  - d. When an officer is on break or is otherwise engaged in a personal activity;

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- e. A person undergoing a medical or psychological evaluation, procedure or treatment;
- f. Any person other than a suspect to a crime if an officer is wearing his/her issued BWC in a hospital or other medical facility setting;
- g. In a mental health facility, unless responding to a call involving a suspect to a crime who is thought to be present in the facility;
- h. Any private conversation to which the officer is not a party;
- i. Any telephonic conversation unless specifically authorized by law while in the performance of their official duties;
- j. In a locker room, changing room or restroom, unless confronting a violent or assaultive suspect or in an anticipated use of force instance; or
- k. Any training activities, including training at the range, except as expressly authorized by the Academy Commander.

2. Deactivation of a Body-Worn Camera Under Certain Circumstances:

- a. Although generally, BWCs should remain activated until the conclusion of an incident, police officers may consider requests to deactivate the BWC should he/she determine that, based upon the circumstances; the investigation could be significantly hampered if the recording were to continue. Whenever possible, police officers should consult with supervisors before making the decision to deactivate their BWC.
- b. Whenever possible, a police officer who deactivates the BWC during the course of an event in which this policy otherwise requires recording, shall both record on the camera the reason for the interruption or termination of recording prior to deactivating the BWC, and document such event in his/her report and in evidence.com.

**D. Malfunction, Damage, Theft, or Loss off Body-Worn Camera**

- 1. If any malfunctioning or unintentional failure to record in accordance with this policy occurs, the police officer shall document on a CIR the reason and notify his/her supervisor regarding the lack of recording.
- 2. Any theft of an issued BWC shall be reported to a supervisor immediately.
- 3. The officer reporting the damage, loss, or theft of a BWC shall detail the circumstances on a CIR and shall forward the CIR to his/her immediate


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supervisor for review.

- a. The supervisor receiving a report of damage, theft or loss of a BWC shall complete an SIR.

**E. End of Shift Procedures**

1. Police Officers shall ensure that all files from an issued BWC are securely downloaded and retained in accordance with this policy at the end of each shift so as to ensure that there remains adequate data storage available for recording future incidents.
2. Whenever practical, officers should download video utilizing Sync or Axon View software, preferably while writing police reports throughout the shift. At the end of their shift, officers SHALL place the BWC into the docking station. This will allow remaining evidence to be transferred from the BWC to the server, and for the battery to be charged.
3. Officers shall cause the recorded video to be stored, downloaded, transferred or otherwise saved and labeled or cataloged as evidence in the following circumstances:
  - a. Any incident where an arrest is made or may be made, and/or a search is conducted.
  - b. An event that captures an officer's reportable use of force in the discharge of his/her official duties.
  - c. Any interaction with the public where the officer determines that it would be prudent to retain the recording for longer than the minimum retention period set forth in this policy.
  - d. An event that is a major motor vehicle or criminal incident involving death, serious injury, or catastrophic property damage.
4. In addition, officers who have recorded an event on their issued or assigned BWC shall ensure the event is classified into the appropriate retention category. Unless exigent circumstances exist, and with the permission of a supervisor, officers shall classify their videos with the appropriate category within 24 hours.
5. Officers shall identify the data fields within the following manner:
  - a. For "Title", use the appropriate 10-code.

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- b. For “ID”, use the appropriate two-letter identifier followed by the four-digit year, followed by the five-digit case number. For example:

- CI 2019-12345 for a Case Incident
- TS 2019-12345 for a Traffic Stop
- FI 2019-12345 for a Field Interview

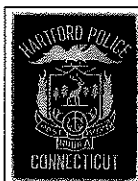
If no case number exists, the ID field may be left blank.

- c. For the “Retention Category”, select the appropriate category(ies).

**F. Documentation – Reports and/or Citations**

1. In situations requiring a CIR and/or citation, officers shall document the use of a BWC in one of the following manners:
  - a. Within the narrative portion of the CIR or supplement; or
  - b. As a notation on a citation.
2. The use of a BWC does not replace the need for required documentation. All incident/supplemental reports shall be completed, regardless of the video that has been captured.
3. Officers may review the recordings for arrest reports, use of force reports, and potential arrests or affidavits or as needed when preparing written reports of events to help ensure accuracy and consistency of accounts.
4. In incidents involving an officer’s use of force (as defined in Use of Force policy 3.01), officers may review their video of the incident before completing his/her force investigation report. Once the officer has completed his/her use of force report he/she may also view the video with the Supervisor conducting the force investigation. Any discrepancies or additional information determined by the review of the video will be documented and explained by the Supervisor in his/her evaluation of the use of force.
5. If a BWC recording is reviewed prior to preparing a written report, the report shall indicate that the recording was viewed prior to writing the report.





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**NOTE:** Officers should continue to prepare reports in the same manner as prior to the implementation of this camera system. Officers should not substitute “refer to video” in place of a detailed and thorough report. Officers should avoid using exact quotes, but should represent statements in their reports as a summary of what is contained in the statement/video, such as, “In summary, the victim stated...”

**G. Operational Prohibitions/Restrictions**

1. Officers shall not modify, tamper, dismantle, or attempt to make repairs to BWCs. Any officer, who intentionally disables or damages any part of the BWC, or who fails to activate or deactivate the system required by this policy without justifiably reason, will be held accountable and subject to criminal and/or internal disciplinary action.
2. Officers will typically not allow citizens to review recordings; however, officer discretion is allowed to replay the recording for citizens at the scene in order to mitigate possible complaints.
3. To respect the dignity of others, members utilizing BWCs will make reasonable efforts to avoid recording persons who are nude, or when sensitive areas are exposed.
4. Officers shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner BWC recordings, except as otherwise provided for in this policy, without prior written authorization and approval of the Chief of Police or his/her designee. Officers are prohibited from using a recording device (such as a camera phone or secondary video camera) to record media from the server or any device utilized to view data recorded on BWCs.
5. Any uploading or converting digital recordings for use on any type of social media is prohibited, unless approved by the Chief of Police.
6. Officers shall not record individuals who are lawfully engaging in a protest or other First Amendment protected right of speech or demonstration, unless there is at least reasonable suspicion of criminal activity, or to serve any other legitimate law enforcement purpose.

**H. Training**

1. No police officer shall use an issued BWC prior to being trained in accordance with manufacturer suggested guidelines in the use of the equipment, and in the retention of data created by such equipment. Every police officer must receive training on the proper care and maintenance of the equipment at least annually.

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2. The Academy will maintain the Department-approved BWC system training curriculum.


# **I. Responsibilities of Supervisor Personnel**

## **1. Chief of Police**

- a. The Chief of Police shall designate one or more Department members to oversee and administer the storage and management of all digital multimedia video files generated by the use of issued or authorized BWCs.
- b. The Chief of Police may authorize BWC policy that provides additional guidelines and training requirements not mandated by this policy, provided that it does not conflict with state or federal law or the provisions set forth in this policy.
- c. The Chief of Police or designee shall ensure the BWC data collection and storage is purged from evidence.com in accordance with the State of Connecticut Library Records of Retention schedule and Department policy.
- d. The Chief of Police or designee shall ensure that BWC video files that are subject to a preservation request or court order are appropriately catalogued and preserved.
- e. The Chief of Police or designee shall approve the method of evidence transfer management (ETM) from the BWC to a secured storage server, cloud, website or other secured digital media storage.

## **2. Supervisors**

- a. Supervisors shall ensure that police officers equipped with issued body-worn cameras are using the camera and audio in accordance with policy and procedures as defined herein.
- b. Supervisors shall periodically inspect issued BWC equipment assigned to police officers to ensure proper operability per testing protocols provided through training and manufacturer's recommendations.
- c. Supervisors shall ensure that upon being informed by an officer under their supervision that the officer's BWC equipment is lost, stolen, damaged, or malfunctioning, that such BWC equipment is inspected and repaired or replaced, as necessary, to the extent practicable. A SIR is required for damaged, lost, or stolen BWCs.


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- d. Supervisors or other persons designated by the Chief of Police may periodically review issued BWC recordings of traffic stops and citizen contacts in accordance with this policy as well as reports generated as a result of these incidents to:
  - i. Ensure BWC equipment is operating properly;
  - ii. Ensure that police officers are utilizing the BWCs appropriately and in accordance with policies and procedures;
  - iii. Immediately resolve civilian complaints by reviewing video captured by the BWC. In those circumstances where a complaint is resolved with no further action needed, supervisors shall document the incident in a memo to the Internal Affairs Division Commander and tag the video under the appropriate category in evidence.com.
  - iv. Identify any areas in which additional training policy revisions or guidance is required.
- e. When an incident arises that requires the immediate retrieval of a digital recording (for example, incidents involving serious crime scenes, officer-involved shootings, Department-involved motor vehicle accidents which resulted in serious physical injury), a supervisor may respond to the scene to secure the BWC and maintain the chain of custody.
- f. Supervisors shall ensure that all BWC video files are appropriately preserved in accordance with this policy.
- g. Upon request, the Union will be provided with audit trails related to specific videos viewed by supervisors, unless such requests interfere with an ongoing investigation.

**NOTE:** It shall be deemed a violation of this policy for a supervisor to review recordings for the sole purpose of searching for violations of Department policy or law not related to a specific complaint or incident.


#### **J. System Administration**

1. The System Administrator will randomly review BWC recordings to ensure that the equipment is operating properly and that officers are using the devices appropriately and in accordance with policy and to identify any areas in which additional training or guidance is required. Such a review is limited to reviewing records to assess BWC activations and compliance, not for viewing videos in their entirety.

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**K. Authorized Personnel Access to Uploaded Digital Multimedia Video Files**

1. General access to digital multimedia video files shall be granted to authorized personnel only. Accessing, copying, or releasing any digital multimedia video files for other than official law enforcement purposes is strictly prohibited, except as otherwise required by state and federal statutes, or Department policies and procedures.
  - a. The Chief of Police or his/her designee may review specific BWC digital multimedia video files for the purpose of training, performance review, critique, early intervention inquiries, civil claims, administrative inquiry, or other articulable reason.
  - b. A police officer may review a recording from his/her body-worn recording equipment in order to assist such officer with the preparation of a report or otherwise in the performance of his/her duties.
  - c. If a police officer is giving a formal statement about the use of force, or if an officer is the subject of a disciplinary investigation in which a recording from body-worn recording equipment is being considered as part of a review of an incident, the police officer shall have the right to review such recording in the presence of the officer's attorney or labor representative at the conclusion of the investigation and, upon request receive, a copy of the BWC footage that contains applicable FOI redactions. Such police officer shall have the right to review recordings from other police officers' body-worn recording equipment capturing the police officers' image or voice during the incident under review.
2. Under no circumstances shall any individual with access to BWC media or data files be allowed to use, show, reproduce or release recordings for the purpose of ridicule or embarrassment of any police officer or individual, or for other non-law enforcement related purposes. This includes disclosure of any portion of a BWC video file to a media organization unless such disclosure has been approved by the Chief of Police or his/her designee.
3. Digital multimedia video files may be reviewed by individuals other than the recording police officer in any of the following situations:
  - a. By a Department member investigating or adjudicating a complaint regarding a specific act of officer conduct;
  - b. By technical support staff for purposes of assessing proper functioning of body cameras;
  - c. By the Internal Affairs Unit or other Unit or person(s) designated by the Chief of Police, when participating in an official misconduct

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investigation concerning a specific act or officer conduct alleged in a complaint of misconduct;

- d. By a sworn law enforcement officer who is participating in a criminal investigation;
- e. By Corporation Counsel;
- f. Law enforcement personnel may review a recording from their own issued or assigned body-worn recording equipment in order to assist such officer in providing a statement as a witness to events which are the subject of a Department internal administrative inquiry, including officer-involved shooting investigations;
- g. By representatives of the Division of Criminal Justice, Municipal Attorneys, Office of the Attorney General, retained counsel and other representatives authorized by the municipality, such as municipal insurance carriers, in the course of their official duties;
- h. Field Training Officers may use digital multimedia video files captured via a BWC to provide training to assigned officers and to assist with the completion of the Daily Observation Report (DOR); or
- i. By other Department personnel as authorized by the Chief of Police or his/her designee.


#### **L. Releasing or Duplicating Body-Worn Camera Recordings**

##### **1. Releasing Body-Worn Camera Digital Multimedia Video Files**

- a. All Freedom of Information Act (FOIA) requests for BWC digital multimedia video files shall be processed through the Planning & Accreditation's Civil Litigation & FOI Unit. Prior to release, said designee shall review and redact the video files in accordance with applicable law.
- b. Anytime an FOI request is made for an officer's BWC recording, the Civil Litigation and FOI Unit shall notify the officer of the request.

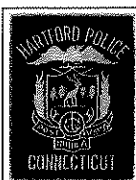
##### **2. Duplicating Body-Worn Camera Digital Multimedia Video Files**

- a. When a police officer is required to produce a digital multimedia video file pursuant to a subpoena or other court order, the Chief of Police or other designee shall arrange, prior to the date of the court appearance, for a copy of the required portion of the original video file to be duplicated.
- b. The original video file, as well as any duplicate copy, shall be held as

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evidence in accordance with this policy.

3. In accordance with C.G.S. § 29-6d, no record created using BWC equipment of an occurrence or situation described below shall be subject to disclosure under the FOIA, and any such record shall be confidential:
  - a. A communication with other law enforcement agency personnel, except that which may be recorded as the officer performs his or her duties;
  - b. An encounter with an undercover officer or informant;
  - c. When an officer is on break or is otherwise engaged in a personal activity;
  - d. A person undergoing a medical or psychological evaluation, procedure or treatment;
  - e. Any person other than a suspect to a crime if a officer is wearing such equipment in a hospital or other medical facility setting;
  - f. In a mental health facility, unless responding to a call involving a suspect to a crime who is thought to be present in the facility;
  - g. A scene of an incident that involves the following, if disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy in the case of any such victim:
    - i. A victim of domestic abuse, sexual abuse, homicide, suicide, or a deceased victim of an accident; or
  - h. A minor, except that the record of a minor created using BWC equipment shall be disclosed if:
    - i. The minor and the parent or guardian of such minor consent to the disclosure of such record;
    - ii. An officer is the subject of an allegation of misconduct made by such minor or the parent or guardian of such minor, and the person representing such officer in an investigation of such alleged misconduct requests disclosure of such record for the sole purpose of preparing a defense to such allegation; or
    - iii. A person is charged with a crime and defense counsel for such person requests disclosure of such record for the sole purpose of assisting in such person's defense and the discovery of such record as evidence is otherwise discoverable.



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**M. Storage and Retention**

1. Digital multimedia video files shall be maintained in an approved storage location, such as a server, storage device, cloud storage, website or other approved secure storage media, authorized by the Chief of Police.
2. Requests for deletion of portions of the recordings (e.g. in the event of a personal recording) must be made to the System Administrator and must be in accordance with state record retention laws. All requests and final decisions shall be kept on file. The System Administrator, along with at least one Department supervisor at the rank of Lieutenant or above, can delete recordings that are not in compliance with this policy. Any deletions shall be notated in evidence.com.
3. All digital multimedia video files shall be securely stored in accordance with state record retention laws and Department policy.
  - a. Digital multimedia video files not reproduced for evidentiary purposes or otherwise required to be preserved in accordance with this policy shall be maintained for a period of a minimum of ninety (90) days.
  - b. Digital multimedia video files shall be preserved while a case remains open and under investigation, or while criminal or civil proceedings are ongoing or reasonably anticipated, or in accordance with the State Records of Retention schedule, whichever is greater.
  - c. All other digital multimedia video files reproduced for evidentiary purposes or otherwise caused to be preserved shall be maintained for a minimum of four (4) years.
  - d. Digital multimedia video files shall be preserved in accordance with any specific request by representatives of the Division of Criminal Justice, Municipal Attorney, Officer of the Attorney General, retained counsel and other authorized claims representatives in the course of their official duties.
  - e. Digital multimedia video files shall be preserved in response to oral, electronic or written preservation requests from any member of the public where such requests indicate that litigation may be reasonably anticipated.
    - i. All such preservation requests shall promptly be brought to the attention of the recipient's supervisor and Corporation Counsel.

**N. Accountability, Review, and Security**

1. All BWC users will be responsible for monitoring system effectiveness and making recommendations for operational improvement and policy revision.

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2. Authorized users must keep their user name and password confidential.

**O. Request for Deletion of Unintentional Recording**

1. In the event of an accidental activation of the BWC where the resulting recording is of no investigative or evidentiary value, the recording officer may request that the BWC file be deleted by submitting an email request with sufficient information to locate the BWC file to the System Administrator who shall review the file, and then approve or deny the request, in accordance with section IV M 2, above.

**P. Request to Use a BWC File for Training Purposes**

1. A person recommending utilization of a BWC file for training purposes shall submit the recommendation through the chain of command to the Chief of Police or designee.
2. If an involved officer objects to the showing of a recording, his/her objection shall be submitted to the Chief of Police or designee to determine if the employee's objection outweighs the training value of the video.
3. After a meeting with the affected employee and his/her Union representative, the Chief of Police or designee shall review the recommendation and determine how best to utilize the BWC file considering the identity of the person(s) involved, sensitivity of the incident, and the benefit of utilizing the file versus other means of accomplishing the same goal as using the file.